

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:06-cr-00061
	:	
Plaintiff,	:	Judge Thomas M. Rose
	:	
v.	:	
	:	
CHRISTOPHER HUNTER,	:	
	:	
Defendant.	:	

**ENTRY AND ORDER DENYING DEFENDANT'S MOTION TO RECONSIDER
PREVIOUSLY DENIED MOTION FOR COMPASSIONATE RELEASE FILED
PURSUANT TO 18 U.S.C. § 3582(c)(1)(A)(i) (DOC. 309)**

This case is before the Court on the Motion To Reconsider Previously Denied Compassionate Release Motion Filed Pursuant to 3582(c)(1)(A)(i) (Doc. 309) (the “Motion”) filed by Defendant Christopher Hunter (“Defendant”).

On January 10, 2020, this Court entered an Order denying Defendant’s “Motion Pursuant to 18 U.S.C. 3582(c)(1)(A) Requesting This Court Reduce the Sentence of Christopher Hunter for Extraordinary and Compelling Circumstances (Doc. 264).” (See Doc. 294.) Defendant’s Certificate of Service on the Motion certifies that he placed the Motion in the prison mailing system to send to this Court on April 9, 2020, and the Motion was filed in this case on April 14, 2020. (See Doc. 309.)

The Court denies the Motion as untimely. A Section “3582(c) motion is ... a continuation of a criminal case.” *United States v. Brown*, 817 F.3d 486, 488 (6th Cir. 2016). “A motion for reconsideration in a criminal case must be filed within the fourteen-day period for filing an appeal.” *United States v. Miller*, 697 F. App'x 842, 843 n.1 (6th Cir. 2017); *see also United States v. Correa-*

Gomez, 328 F.3d 297, 299 (6th Cir. 2003) (“a motion for reconsideration … in a criminal case must be filed within the period provided by Fed. R. App. 4(b)(1) unless the local rules of the district court provide otherwise”); FED. R. APP. P. 4(b)(1) (establishing 14-day deadline, from entry of the judgment being appealed or the filing of a notice of appeal by the government, for a defendant to file a notice of appeal in a criminal case); *United States v. Randall*, 666 F.3d 1238, 1242-43 (10th Cir. 2011) (same and referencing some justifications for limiting time to seek reconsideration).

Here, Defendant served and filed the Motion roughly three months after this Court issued the order that he asks to be reconsidered, well outside of the time frame allowed for such a filing.

Correa-Gomez, 328 F.3d at 299. Therefore, the Court **DENIES** Defendant’s Motion To Reconsider Previously Denied Compassionate Release Motion Filed Pursuant to 3582(c)(1)(A)(i) (Doc. 309). *See also United States v. Washington*, Case No. 5:13-020-DCR, 2020 U.S. Dist. LEXIS 65186, at *1-2 (E.D. Ky. Apr. 14, 2020) (within context of COVID-19 pandemic, denying defendant’s April 6, 2020 motion for reconsideration of November 21, 2019 order denying prior motion for compassionate release under 18 U.S.C § 3582(c)(1)(A)(i) because, among other reasons, the motion was untimely).

DONE and **ORDERED** in Dayton, Ohio, this Monday, April 20, 2020.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE